

# **Pet owner's perspective on compulsory competitive tendering of animal control and management services**

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## **1. PREAMBLE**

Like most Australians, I grew up in the company of animals. Combining a farming background and almost 30 years in companion animal veterinary practice, virtually my whole personal and working life has been spent interacting with animals and animal owners. In addition, I am a pet owner myself. I currently share my life with two dogs and provide services to three cats, two of whom allow me to use their homes as my veterinary clinics.

In my capacities as veterinarian and pet owner I have been involved in the development and implementation of animal welfare, management and control policies ranging from local municipal laws to national policy. I interact widely with other municipalities and veterinarians in similar fields.

## **2. THE PET OWNER'S PERSPECTIVE**

Pet owners keep pets for a variety of reasons, such as companionship, for recreation, security, assistance, health and safety.

We try to be responsible owners. We pay what are often exorbitant registration fees, confine our animals, and ensure that they wear their identification tags. We are law abiding and accept the need for an increasing level of restriction on our activities and access to public open space. We obey the leash laws and pick up faeces. We do the right thing morally by desexing our pets. We attend to the physical and emotional needs of our animal companions by exercising them in off leash areas, by providing appropriate environments, and by providing treatment for them if they are sick or injured.

In return we have certain expectations from our municipalities. We expect equitable access to public open space and value for money from our registration fees. We expect the provision of adequate facilities for off leash exercise and, like other citizens, to be able to enjoy public amenity without nuisance or aggression.

We hope for user friendly Local Laws that encourage and assist compliance. We expect professional animal management officers who will enforce the laws with compassion and sympathy. We expect the provision of a Pound as a refuge and shelter should our pets become lost or stray, and the institution of procedures for the resolution of disputes and complaints.

We demand recognition of animal ownership as a right and dog based activities as legitimate uses of public open space. Our dream is that our municipalities might provide funding for the provision of facilities to enable us to enhance and enjoy the relationship with our pets through animal based recreation, exercise and education.

## **3. THE WAY WE WERE**

Prior to 1996, in Victoria we operated under the Dog Act 1974. This was deficient in relation to aggression and control issues. Cats had no legal status, no protection, and there were problems regarding damage to native fauna, strays and disease. There were major concerns about canine aggression towards both people and animals.

Even so, some committed municipalities were doing quite a good job, though many were not doing much at all. There was a phenomenon of individual Council cultures, where the provision of animal control services, enforcement, pound facilities and collection of strays was very variable across the state. Customer service was rudimentary and often quite punitive in nature.

Pet owners hoped that legislative changes would deliver better outcomes in terms of service delivery and value for money.

#### **4. THE COMING OF THE DOMESTIC ANIMALS ACT AND CCT**

The new Domestic (Feral and Nuisance) Animals Act (DAA) and the concept of Compulsory Competitive Tendering (CCT) were introduced at about the same time during the mid 1990s. The Liberal Government philosophy behind CCT was that governments (including local government) should be in the business of governing, not the provision of services. It was believed that CCT would provide better outcomes in terms of service delivery and value for money.

Local government instrumentalities were required to tender out at least 50% of their services on a cost basis. Many Councils opted to tender out all their services, including animal management services (enforcement can not be tendered out).

The tendering out concept has effectively been endorsed by the subsequent Labor Government. Their legislation requires that Councils deliver quality and value whilst at the same time being responsive, consultative and accessible to their communities.

The DAA and CCT concepts moved animal management issues forward, but left the definition of details up to individual Councils. This did not address the significant problem of individual Council cultures.

#### **5. EXTERNAL CONTRACTORS**

The argument for external contractors was that they would be able to deliver better quality services because they would be professionals with an animal control focus, not people who also had to deal with parking, garbage etc. It was thought that through multiple contracts they would be able to deliver economies of scale ie. better value for money. Cost savings would be enhanced by the use of volunteers. In addition, it was hoped that there would be a better quality and more uniform level of service across the state.

It is early days yet, but overall the reality does not meet the expectations. Some of the original tenders were found to be too low. Perhaps they were submitted in an attempt to gain market share, but I believe the major problem was underestimation of the administrative side of service delivery. Often this was because of inadequate record keeping by municipalities.

Standards of services have risen, but uniformity across the State (and hence economies of scale) has not eventuated because individual Councils developed very different contracts reflecting their different cultures.

Sometimes external contractors have other agendas apart from the delivery of services to that municipality.

The sort of procedures required for large scale operations sometimes bring their own problems eg. the use interstate call centres leading to inadequate response times.

#### **6. INTERNAL CONTRACTORS**

Some Councils gave their internal units the opportunity to bid for contracts. This tended to happen in those municipalities who had historically been more active on animal management matters. The expectation here was that by keeping services within the local community there would be better outcomes eg. in a not for profit operation all monies could be expended on services for the local community.

In reality, most of these communities continue to be happy with these arrangements. They deliver good outcomes and standards are rising, but then these municipalities tended to be doing a good job anyway.

Internal contracting out has done nothing to address the problems of individual Council cultures. Not all the internal contracts were realistic (some looked cheap because of cross subsidisation from other Council departments) and some continue to deliver poor services.

Inadequate size can be a limiting factor in the delivery of services in this arrangement eg not enough animal management officers to staff out of hours rosters.

## **7. CUSTOMER SERVICE**

Customer service has become a cliché in many ways. However, there is no doubt that irrespective of whoever delivers the contract, all Councils now have much more of a customer focus in all their activities. They are actually interested in what the client (pet owner) wants, and are more prepared to develop strategies to deliver it.

What is often lacking is the back end — contract provisions, delivery systems, officer training, etc are still quite variable. It is all very well speaking to the lovely receptionist at the front desk, but it all falls apart when the ranger from hell arrives at the door to deliver the services.

At least we have moved on from the bad old days when Councils were much more likely to tell customers what was good for them and had restricted facilities such as limited opening hours.

## **8. ACCOUNTABILITY**

CCT has vastly improved the accountability of Councils with regard to service delivery and the performance of the contractors, whether external or internal. In the bad old days some Council units were akin to sheltered workshops. Now benchmarking, statistical analysis and performance assessments are the order of the day. Any under-performing areas are quickly identified and remedial action taken.

## **9. ANIMAL MANAGEMENT OFFICERS**

The role of the AMO has changed radically, with much more emphasis on negotiation and education of pet owners. There are also changed concepts of how services should be delivered. Nowadays more resources are expended at getting AMOs out there, talking to people and being proactive. Today's AMOs are generally more professional, better educated, knowledgeable, care for animals and have good communication skills. There is still a requirement for enforcement, but this is much more as a means to an end rather than an end in itself. These changes are partly due to CCT and partly due to changing expectations of citizens.

## **10. CONTRACT INFLEXIBILITY**

The performance of contractors seems to be generally good, but it is limited by the contract. Animal management is often complicated and unexpected. For example, the scenario of the lady with a snake in her living room is not covered by the contract. This was not a problem with the old system, and may still be covered by internal contractors, but is hardly likely to be addressed by external contractors.

If the Council decides they want to do something extra such as patrol parks at weekends, they will have to pay a contract variation. Where services are provided in house there are certainly more resources to cope with emergencies or the unexpected.

For example, before CCT, when a horse was hit and killed on the road at the weekend, the Local Laws unit could contact the Local Works unit to pick up and dispose of the animal with their tip truck and front end loader. Nowadays this sort of activity is unlikely to be included in the animal control contract and the Council is likely to have sold off its' heavy machinery anyway because these services are now contracted out. The roads contractor says picking up a horse is not included in his contract and nothing can be done until Monday morning.

## **11. INTEGRATION OF SERVICE DELIVERY AND ENFORCEMENT**

As noted above, prosecution responsibilities cannot be contracted out. This can lead to the situation where the municipality is dependent on the contractor to provide details for enforcement. The best chance to educate the owner or to get compliance, to collect fines or initiate prosecutions is when the AMO is talking to the owner face to face and their dog is still in the pound.

Local AMOs are more likely to know their residents and local animal eg they know that 'stray' is a recidivist that should not be rehoused, or where that wandering dog comes from.

## **12. COST RECOVERY AND VALUE FOR MONEY**

Have pet owners received better value for money under the new arrangements? We are certainly paying ever increasing amounts of money in the form of registration fees. Sometimes we don't see much in the form of services and facilities, particularly with respect to cats. Pound facilities have improved dramatically, largely as a result of the new Code of Practice for Pounds and Shelters. Some innovative municipalities use spare capacity in their pounds as a boarding facility for ratepayers.

Whilst the focus of cost recovery and user pays has undoubtedly lead to financial efficiencies, it has also contributed to the mentality in Councils that the sole source of animal related expenditure is registration fees. Other groups within the municipality are entitled to capital spending for facilities, so why not pet owners? For example, when I walk my dogs around the football ground on Sunday mornings I can't help but notice several overflowing rubbish bins — bins that are provided and serviced without cost to the sporting clubs. Why is it such a different story when we want bins to be provided for faeces disposal?

The focus on cost recovery by all Council departments does act as an inhibitor on Council activities in general — the local laws unit has to reimburse the marketing department for the registration pamphlets, etc. This can lead to procrastination and inaction — faeces disposal is the classic example. However, cost recovery does mean that everyone is more business oriented, which is a good outcome.

## **13. COMMUNICATION AND CO-ORDINATION**

When all services are tendered out, this can lead to unfortunate consequences because of inadequate communication. For example, a contractor is baiting rats around the ornamental lake and warning pet owners to stay away at the same time that another department is surveying usage patterns of the same park. Another example is the contractor spraying weeds with a chemical toxic to animals not advertising the fact to pet owners because his contract only relates to weed control.

## **14. THE INVISIBLE STAKEHOLDERS**

The DAA introduced many restrictions on pet ownership, such as leash laws, confinement, less access to free running exercise. These restrictions were necessary, and were generally accepted by pet owners (some municipalities had to revoke draconian laws because they were leading to mass dissension).

Pet ownership has historically been so common in Australia that it has literally been taken for granted. There was no need for a group to advocate the rights of pets and their owners when these were not under threat. However, the reduction in the rights of pet owners has not been accompanied by any mechanism to safeguard the remaining rights and needs of animals and their owners. In many respects they have become the invisible stakeholders in public planning, budget allocation and decision making processes.

When the municipality is drawing up its' Sport and Recreation Strategy, or Open Space proposals, they automatically consult the bicycle user groups, the horse riders and the sports clubs, but they don't think about pet owners as a group. This often leads to further erosion of access to facilities such as public open space. As a result, pet owners have become increasingly marginalised and disenfranchised. The only solution is for pet owners to become more

political and better organised to protect their interests. It is an equity issue that many municipalities do not see the need to facilitate inclusion of this significant group of ratepayers within the system.

### **13. CONCLUSION**

Has CCT delivered the goods? It is probably too early to say yet. However, it is clear that irrespective of whether external or internal contractors are providing the services, everyone is doing a better job in terms of customer service, accountability, professionalism and quality of service delivery. The role of the AMO and their level of expertise have changed forever. These improvements are partly due to CCT, partly the DAA, and partly changing community attitudes and expectations.

CCT has created some problems of its own (co-ordination, communication) and has not addressed the major issue of individual Council culture and variation in quality of service delivery across the state.

The issue of value for money to pet owners is more difficult to assess. Pet owners continue to be frustrated by the lack of general capital expenditure on animal related activities and facilities and the narrow focus on income from registration fees for provision of services.

CCT in part, and the DAA in particular, have lead to an erosion of traditional rights and the imposition of restrictions on the activities of pet owners. They will have to become more organised and politically active if they are to protect their remaining rights and progress their legitimate concerns.

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Dr Ted Donelan is a veterinarian with some thirty years experience in private practice. Ted has always been particularly interested in both animal welfare and the relationships between animals and their human companions. This has lead to extensive participation in urban animal management at both planning and practical levels. Over the past ten years Ted has had wide-ranging involvement in the development of RFID technology on the national and international scene. He represents the Australian Veterinary Association on Standards Australia's Committee IT/28 and is Chairman of IT/28's Registry Subcommittee. Ted in the inaugural President of the registry watchdog Domestic Animal Registries Inc.

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